



County of Los Angeles CHIEF EXECUTIVE OFFICE

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Chief Executive Officer

July 8, 2014

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To: Supervisor Don Knabe, Chairman
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From: William T Fujioka
Chief Executive Officer 

SACRAMENTO UPDATE

This memorandum contains reports on the following:

- **Change in Position on County-Advocacy Legislation**

- **County-support-if-amended AB 1922 (Gomez)** – related to the development of greenways along rivers in the State through public and private partnerships, was amended on June 18, 2014 to remove provisions that would authorize a local government entity to designate lands along a river in its jurisdiction as a greenway, upon approval of its legislative body. **Therefore, the Sacramento advocates will remove the County's request for amendments and support AB 1922, as amended.**
- **County-opposed AB 2145 (Bradford)** – related to formation of and enrollment in a community choice aggregator (energy provider) was amended on July 1, 2014 to remove a provision which would have required a positive declaration from a customer to "opt-in" for enrollment in a community choice aggregator. **Therefore, the Sacramento advocates will remove the County's oppose to AB 2145 and take no position on this measure.**

- **Status of County-Advocacy Legislation**

- **County-supported SB 833 (Liu)** – related to voluntary custody for jail inmates, was signed by the Governor on July 7, 2014.

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- **County-supported SB 1045 (Beall)** – related to group outpatient drug counseling services, was signed by the Governor on July 7, 2014.
- **AB 2403 (Rendon)** – related to the definition of water for the purposes of Proposition 219, was signed by the Governor on June 28, 2014.

Change in Position on County-Advocacy Legislation

County-support-if-amended AB 1922 (Gomez), which as amended on May 13, 2014, would enact the Greenway Development and Sustainment Act, which is intended to promote the development of greenways along rivers in the State through public and private partnerships, including the development of a greenway along the Los Angeles River, was amended on June 18, 2014.

As amended, the provisions authorizing a local government entity to designate lands along a river in its jurisdiction as a greenway, upon approval of its legislative body, have been deleted from the bill. The bill would instead define "greenway" to meet specified requirements for landscaping and adjacency to an urban waterway. It would also require that public or private lands (or a combination thereof) where public access to those lands for greenway purposes has been legally authorized by the fee owner and, if applicable, the operator of any facility or improvement located on the land, through leases, easements, or other agreements entered into by the fee owner and the operator of any affected facility located on the land.

The Department of Public Works (DPW) has reviewed the amendments and reports that the author incorporated DPW's proposed revisions to the definition of "greenway" and that the amendments also address the County's and the Los Angeles County Flood Control District's request to: 1) to preserve property rights within the Greenway which will help flood control districts maintain flood protection levels along rivers, such as the Los Angeles River, which includes facilities that are operated, managed, and/or maintained by a government agency; 2) ensure that, in cases where a greenway combines public and private lands, that public access to those lands must be legally authorized; and 3) ensure intergovernmental immunity in situations of overlapping jurisdictions. **Therefore, unless otherwise instructed by the Board, the Sacramento Advocates will remove the County's request for amendments and continue to support AB 1922.**

AB 1922 is scheduled to be heard by the Senate Appropriations Committee on August 4, 2014.

County-opposed AB 2145 (Bradford), which as amended on June 12, 2014, would require each electricity customer to opt-in to a Community Choice Aggregation (CCA) Program by requiring a positive declaration from the customer for participation in a CCA Program, among other provisions, was amended on July 1, 2014.

As amended, the provision that would have required a positive declaration from a customer to “opt-in” for enrollment in a CCA has been removed from the bill. In addition, the amendments add provisions that would: 1) require that if a city, county, or city and county requests another entity to act as the CCA on its behalf, that the CCA be in a county that is contiguous to the requesting city, county or city and county and 2) beginning on January 1, 2015, prohibit an entity from acting as the CCA for more than three contiguous counties.

The Internal Services Department has reviewed the amendments and reports that by removing the opt-in enrollment requirement, AB 2145 no longer would create barriers or delays to the creation of future CCA's until it is able to secure the volume of customers necessary to cover its start-up costs and to reach economies of scale. **Therefore, the Sacramento advocates will remove opposition to AB 2145 and take no position on this measure.**

Status of County-Advocacy Legislation

County-supported SB 833 (Liu), which as amended on May 8, 2014, would authorize a county sheriff to offer a voluntary program to any inmate who, upon completion of a sentence or release order by the court, chooses to stay in the custody facility for up to 16 additional hours or until normal business hours, whichever is shorter, in order to be discharged to a treatment center, was signed by the Governor on July 7, 2014, and it is Chapter 90, Statutes of 2014. This measure becomes effective January 1, 2015.

County-Supported SB 1045 (Beall), which as amended on June 19, 2014, would require that an outpatient group setting in which drug free counseling services are provided consist of no less than two individuals and no more than 12 individuals, was signed by the Governor on July 7, 2014, and it is Chapter 80, Statutes of 2014. This measure becomes effective January 1, 2015.

Status of Legislation of County Interest

AB 2403 (Rendon), which as amended on June 2, 2014, would modify the definition of water for purposes of Article XIII C and Article XIII D of the California Constitution and for the purposes of exemption from the election requirement for all property-related fees under Proposition 218 of 1996 to specifically include improvements for producing,

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storing, supplying, treating or distributing water, was signed by the Governor on June 28, 2014 and it is Chapter 78, Statutes of 2014. This measure becomes effective January 1, 2015.

We will continue to keep you advised.

WTF:RA
MR:VE:lm

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
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